States, a few cities have now exceeded one million population, as per Census, 2001. Some States, especially in the North-East have conventional courts to dispose of family disputes. States like Himachal Pradesh have no city or town exceeding one million population. Some of the States like Punjab and Gujarat are in the process of setting up of more Family Courts. States like Haryana and the NCT Delhi have yet to set up a Family Court.

On the basis of recommendation made by the Parliamentary Committee on Empowerment of Women, the matter has been taken up with all the State Governments/TJT Administrations to set up more Family Courts to speed up disposal of family disputes. In order to encourage and assist the States in setting up more Family Courts, fifty percent Central grant is being extended to them for the establishment and running of new Family Courts which are now being set up during the year 2002-2003.

Amendments in Arbitration and Conciliation Act, 1996

3033. SHRI C.P. THIRUNAVUKKARASU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to enact amendment in the Arbitration and Conciliation Act, 1996 to make it more effective and relevant in the current context;

(b) if so, the details thereof;

(c) whether the Indian Council of Arbitration has made suggestions in this regard;

(d) if so, the details thereof; and

(e) the reaction of Government thereto?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) to (e) The Government has received suggestions from the Indian Council of Arbitration, Rajasthan Chapter, for amendments in the Arbitration and Conciliation Act, 1996. The Law Commission of India has also recommended certain amendments to the said Act in its 176th

Report. As the subject-matter falls under the Concurrent List of Seventh Schedule to the Constitution of India, the Government has invited comments/views from all the State Governments and other concerned organizations on the Report of the Law Commission. The Government proposes to process the matter after receiving comments from all concerned.

Departmental enquiry in sub-judice

†3034. SHRI VUAY SINGH YADAV: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that if any matter is sub-judice in the High Court, the departmental enquiry cannot be initiated on the same;

(b) if so, the details thereof; and

(c) the mechanism to check violation of the concerned rules/ guidelines?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) to (c) The issue regarding departmental inquiry on the same charge in respect of a matter which is under consideration of the High Court has been considered by the Supreme Court in the case of Kusheshwar Dubey, Appellant Vs. M/s Bharat Coking Coal Ltd., and other, (AIR 1988 Supreme Court 2118) and it was held that 'while there could be no legal bar for simultaneous proceedings being taken, yet, there may be cases where it would be appropriate to defer disciplinary proceedings awaiting disposal of the criminal case. In the latter class of cases it would be open to the delinquent-employee to seek such an order of stay or injunction from the Court. Whether in the facts and circumstances of a particular case there should or should not be such simultaneity of the proceedings would then receive judicial consideration and the Court will decide in the given circumstances of a particular case as to whether the disciplinary proceedings should be interdicted, pending

†Original notice of the question was received in Hindi.